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ASA 21/WU 03/91 EXTERNAL
3 December 1991

INDONESIA/EAST TIMOR: AI URGES RIGOROUS STANDARDS FOR INTERNATIONAL INQUIRY INTO MASSACRE

Amnesty International said today that an investigation into the 12 November massacre at the Santa Cruz cemetery in East Timor would need to meet rigorous standards to command international acceptance.

The organization expressed serious doubts about the adequacy of the Indonesian Government's own investigations into the incident, and reiterated its call for a prompt international investigation under United Nations auspices. Commenting on the intention of the UN Secretary General to send an emissary to Indonesia in connection with the killings, Amnesty International said it hoped this would be a step towards such an investigation.

In letters to UN Secretary General, Perez de Cuellar, and the Indonesian Government, dated 27 November, Amnesty International urged the nomination of one or more people of "recognized international stature to lead an impartial investigation into the Santa Cruz massacre and its aftermath" and detailed its reasons for concern about the Indonesian Government's National Investigation Commission.

Amnesty International said that serious human rights violations have continued in East Timor and Indonesia since the Santa Cruz incident, making an impartial international investigation a matter of urgency. Indonesian security forces have arrested scores of people in recent weeks, both in East Timor and in various cities in Indonesia. The arrests may be intended in part to prevent the dissemination of information about the massacre and its aftermath. Many have been held in incommunicado detention, raising concerns about possible ill-treatment and torture. Amnesty International has also received unconfirmed reports that dozens of those arrested after the 12 November incident in East Timor may have been killed.

Amnesty International said that an international investigation into the Santa Cruz killings and its aftermath should conform to the United Nations Principles for the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions. The investigation must be thorough, prompt and impartial and must include independently-conducted autopsies and statements from witnesses. The investigative authorities should have the power to obtain all the information necessary to the inquiry, and suspected perpetrators should be required to appear and testify before them. They should also have the necessary technical and other resources for effective investigation. Complainants, witnesses and their relatives must be protected from violence, threats of violence or any other form of intimidation by the authorities. Those potentially implicated in the crime should be immediately suspended from their positions. The full results of the investigation must be made public within a specified period of time, and those indentified as responsible for the crime should be brought promptly to justice.

Amnesty International said that the government's National Investigation Commission clearly did not meet the minimum standards of impartiality, independence, credibility and technical expertise, making an effective investigation under UN auspices all the more urgent. It specifically mentioned the following as reasons for concern:

• The National Investigation Commission cannot reasonably be perceived, either within East Timor or internationally, as an impartial body. It is clearly seen as a representative of the Indonesian Government and the military. East Timorese will understandably fear testifying before the representatives of a government which has been responsible for a pattern of serious human rights violations in the territory since 1975, and which has occupied that territory in violation of numerous UN resolutions.

• The Indonesian Government has never before conducted an adequate inquiry into reported human rights violations in East Timor since it invaded the territory in 1975. The government has simply dismissed or flatly denied all allegations of human rights violations, however well-documented, and has questioned the political motivation of those who report them. It is scarcely credible that the investigations of the government's Commission will lead to anybody being brought to justice.

• The National Investigation Commission does not include any delegate of genuinely independent or impartial stature. The members are drawn from the military, several government departments, with one member from the government-backed political party. The Commission is headed by Supreme Court Judge and former military officer, Muhammad Djaelani SH. The Supreme Court has rarely if ever challenged the position of the government or the military, particularly in political or national security matters.

• The statements of government and military authorities since the Santa Cruz incident give grave cause to doubt their sincerity in seeing that thorough and impartial inquiries are conducted. Some officials have tried to justify the actions of the security forces, and to blame the incident on opposition groups, the mourners themselves, or foreign journalists who witnessed it.

• Military authorities in East Timor have restricted access to prisoners and the wounded by relatives and outside observers, including the ICRC. They have prevented witnesses, human rights activists and independent observers from disputing the official version of events. Some witnesses are said to have been killed. Among those reportedly arrested in recent weeks are witnesses to the Santa Cruz incident, peaceful protesters and people involved in monitoring the human rights situation in East Timor.

• The authorities have hindered efforts to establish an accurate count of the number and the identities of the victims.They have admitted that the bodies of many who died at Santa Cruz were immediately buried at an abandoned graveyard outside Dili. The hasty disposal of the bodies has virtually precluded the performance of proper post-mortem examinations or forensic tests.